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15 WOMEN AUDITORS NAMED

Cardinal Meyer Urges Forceful Statement On Religious Liberty

By WILLIAM F. GRANEY
Assistant Editor

ROME—The American hierarchy further developed this week their efforts to have the Second Vatican Council adopt a forceful statement on freedom of conscience. Cardinal Meyer, Richard Cardinal Cushing of Boston and Joseph Cardinal Ritter of St. Louis all urged the Council to make a strong declaration on the right of every man to follow his own conscience in matters of religious observance.



POPE PAUL VI receives a rosary from Stefan Cardinal Wyszyński, Primate of Poland, who has spoken in the Ecumenical Council in favor of calling the Blessed Virgin Mary "Mother of the Church." (For story of debate on Mary's role, see page 5.)

(NC Photo)

Cardinal Meyer, 2 Others Urge Firm Religious Liberty Decree

(Continued from page 1)

God and follow it, as they understand it.

This will show, he declared, the right of Protestants to act according to their religious convictions.

Cardinal Cushing said it is a cause for joy that in all lands the Council is taking up this matter of major importance. The declaration, he asserted in English, safeguards "decent respect for the opinions of mankind."

THE CHURCH must be the champion of religious freedom, the Boston Cardinal declared. The matter is not too complicated—the Church in asserting religious freedom for herself must give to others what she claims for herself.

Protecting religious liberty contributes to the welfare of a nation, (and here he quoted Lord Acton) "freedom is the highest political end."

Alfredo Cardinal Ottaviani, secretary of the Holy Office, objected to the text of the declaration.

The Rev. Francis Connell, former dean of moral theology at the Catholic University of America, added a difficulty. To the U.S. press panel, he pointed out that the Church's code of canon law claims spiritual authority over all people.

Marriage laws, for instance, in the code sometimes exert the Church's jurisdiction of non-Catholics, the moral theologian said.

NO FURTHER evidence has to be presented to see why American Protestants have insisted that an official clarification of the Church's teaching on freedom of conscience is vital for the continuation of Protestant-Catholic dialogue.

Protestants say this not from displeasure over the way

in which American Catholics have conducted themselves publicly, but more from a fear that official Catholic statements in the past have been contradictory or confusing on this issue.

They claim also that Catholics are ambivalent in this regard. "When you are in the minority you cry out for freedom of conscience," they say. South Vietnam would be an example of this.

"But when you are in the majority, religious freedom has been stifled in some countries," they say.

Spain, where only recently some steps have been taken to correct suppression of Protestants, would be an example frequently proposed to describe the "other things" of Catholic teaching on freedom of conscience.

THIS GNAWING suspicion of Protestants revealed itself during President Kennedy's campaign in 1960 when he was questioned closely by the Ministerial association.

Since the question of religious liberty first was brought up as a possibility for consideration by the Council, the American hierarchy has taken an ever-increasing interest in it.

The American bishops were genuinely disappointed that the subject was not debated nor brought to a vote for acceptance as a basis of discussion when it was introduced in the second session.

At that time, it was Chapter Four of the treatise on ecumenism. Since then, it has become a declaration of intention for the text on ecumenism.

MANY OTHER U.S. bishops have submitted their requests. Presumably they will continue to speak for almost all of the American bishops and continue their efforts to bring forth a strong statement on freedom of conscience from Vatican II.

Council Fathers Urged: Remember Iron Curtain Nations in Liberty Text

By PATRICK RILEY

VATICAN CITY—(NC)—An Austrian cardinal has urged the Ecumenical Council to speak in the name of all men to seek freedom of religion behind the Iron Curtain.

Franziskus Cardinal Koenig of Vienna appealed to the Council during debate on the proposed declaration on religious liberty not to forget "the tragic fact" that many nations under atheistic communist rule are deprived of religious freedom and that in many such nations religious education is either impeded or punished.

Meanwhile, an American priest told the same meeting (Sept. 24) that unless the Council defends religious freedom, the Catholic Church can no longer be considered a champion of liberty.

The Rev. Joseph Buckley, S.M., superior general of the Marist Fathers, said a declaration of religious liberty is necessary to complete the Council's work.

HE URGED the Council Fathers not to disappoint the world.

Bishop Ernest J. Primeau of Manchester, N.H., defended the draft declaration against a criticism often directed against it by Council conservatives.

The conservatives argue that it is wrong to coerce conscience and that it is equally wrong to allow every conscience—even an erroneous conscience—freedom to express itself outwardly.

Bishop Primeau put this in more philosophical language, distinguishing between a liberty that is internal and personal (usually called freedom of conscience), on the one hand, and a liberty that is external and social (usually called free exercise of religion), on the other hand.

Basing himself on the unity and indivisibility of each man and on man's essentially social nature, Bishop Primeau argued that to recognize freedom of conscience without recognizing the free exercise of religion is to cut man in two.

Cardinal Koenig's speech never mentioned Communism, which rules nations just across the border from his native Austria. But his talk was aimed directly at the so-called scientific atheism enthroned in communist countries.

THE CARDINAL pointed out that it is against the principles of science to force opinions on others, but said that is precisely what these so-called scientific atheists do.

He said scientific atheists in power end up by proclaiming themselves infallible.

He concluded his speech: "I ask that the Council speak in the name of all men and ask for better means of removing the anomaly under which only atheists in such countries can take part in the government and the nation's social life."

Objections voiced at the 87th Council meeting (Sept. 24) against the religious liberty draft declaration stated:

- That it seems to give the erroneous conscience the same rights as a true conscience.
- That, instead of being based on the subjective rights of the person, the schema is based on the objective rights of error.
- That it runs counter to Pope Leo XIII's encyclical, *Immortale Dei*, and Pope Pius XII's address, *Ci Riesci*, to the national convention of Italian Catholic jurists in December,

1963, in which he discussed religious freedom.

- That it implies a denial of the right of the state to determine the requirements of the common good.

- That it fails to throw a clear light on the obligation of all to seek the truth.

Most of the day's 18 speakers had objections to the schema in its present form. Archbishop Pietro Parente, assessor of the Congregation of the Holy Office, was exceptionally outspoken against arguments the schema used to buttress the idea of religious liberty.

He espoused a suggestion Joseph Cardinal Blatter of St. Louis had offered on the previous day: to dispense with all the whys of religious liberty and merely proclaim it as a principle.

Cardinal Koenig called the religious freedom declaration altogether acceptable as it stood, but deplored its silence regarding nations which have been deprived of religious freedom.

Some modern governments are militantly atheistic, while others twist religious freedom to mean freedom from religion, he said.

IN SUCH countries, he continued, religious education is hobbled, barred from the use of any means of public communication, or even punished as a crime. This is contrary to the 1948 United Nations declaration of Human Rights.

Continuing, Cardinal Koenig said that such countries have two classes of citizens: Those who profess atheism and therefore have access to the highest offices of the land, and Christians, who are excluded from those offices. This can be easily proved, he said.

Such states stand against tolerance and due respect for the human person, he declared.

They violate scientific principles since nothing is more unscientific than to force opinions on others, he continued.

They harm the society they rule since the refusal of religious freedom turns the heart of citizens against rulers and makes them disinclined to cooperate in achieving the common purposes of the nation, he said.

But Not Quite Fr. Murray's

Liberty Declaration Is Theological

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Archbishop of Seville, the Archbishop of Zaragoza, the Bishop of Tuy-Vigo, the Auxiliary Bishop of Toledo, and Father Aniceto Fernandez, the Master-General of the Dominican Order, were the dependable conservatives, Cardinal Alfredo Ottaviani, Secretary of the Congregation of the Holy Office, his assistant, Archbishop Pietro Parente, Cardinal Michael Browne, former Master-General of the Dominicans and now of the Council Theological Commission, and Cardinal Ernesto Ruffini, Archbishop of Palermo.

U.S. Bishops Stand Together

Some of the American bishops had hesitations about the exact wording of the declaration before the Fathers, but all of them stood together in support of religious liberty as the right not to be coerced in matters of faith, the civic right of individuals and of groups to private and public manifestations of faith, except where public order or the legitimate ends of government are immediately endangered, and general respect for the rights of conscience.

The revised declaration itself — redrafted after some 300 suggestions were sent into the Secretariat on Christian Unity by council Fathers — is stated in more theological than political terms. It begins simply with the proposition that the act of faith to be meaningful must be an entirely free act. It states that every man has the duty to obey his own conscience, even when his conscience is in error, for fidelity to conscience in the last analysis is obedience to God. At the same time, it insists, a man has a duty to inform his conscience. The Catholic, in particular, is required to find out what the Church authoritatively teaches in order, as a free man, to follow its guidance. It distinguishes sharply between the idea that all religions must be free before the civil law and the idea that they are as equally true before God.

Bishop De Smidt, in introducing the revised draft, insisted that secular governments have no authority to make religious or theological judgments, to interfere directly in matters touching on the religious life of their citizens, or to subordinate religion to their own political ends. At the same time, secular governments are obliged by indirect means to assist their people in the pursuit of their religious ends.

To round out the statement, the



Father Murray

bishop cited the example given by Christ Himself, who showed infinite respect for all persons and dealt with all in accordance with the same standard of moderation and kindness.

Wordings Not Strong Enough

As it presently stands, the declaration on religious liberty is not quite what Father Murray would have produced, had he been charged with writing it. He made that clear at the American Bishops' caucus meeting, thereby confusing some of the bishops, who had thought of the religious liberty declaration as embodying the "Courtney Murray position."

Father Murray, though, would have put much stronger emphasis on the juridical and political aspects of the question and less on the theological. The present wording, he suggested to at least some of his episcopal audience, was theologically vulnerable to the attacks of the conservative faction.

Fr. Murray Stands Out

A decade ago, controversy swirled in Catholic theological circles about the church-state position taken by Father Murray, a professor at the Jesuit

seminary in Woodstock, Maryland. It was deemed dangerously unorthodox by the ultra-conservative theological party then ruling the roost in the United States, and Father Murray was censured by the Holy Office in Rome. There was irony, then, in seeing the elegant Jesuit playing such a pivotal role in Rome when the subject came up for discussion before the bishops of the entire world. Whatever doubts had once been entertained about his orthodoxy faded away as it became evident that he was the chief advisor, tactician, and ghost-writer for the American hierarchy.

There were echoes of the Murray political approach, for example, in the intervention of Cardinal Richard Cushing, Archbishop of Boston, who quoted (in English) Lord Acton's dictum: "Freedom is the highest political end." Here, incidentally, was more historical irony. Acton, a layman, was a leading — and highly suspect — figure among the losing "liberal" faction in the First Vatican Council a century ago.

Intervention on religious liberty was the first speech of the in-again, out-again Cardinal Cushing to the council Fathers. It was delivered in a slow, insistent Boston-accented Latin. One priest who heard it said the cardinal spoke to his peers exactly as he might address a motley rally of Massachusetts Catholics in his beloved archdiocese and the noble ecclesiastics in the aula were as intent on listening to him as his own adoring flock would be.

The Church claims liberty for herself to perform her supernatural mission, the Boston cardinal reminded the Fathers. The Church must make the same demand for everyone, however, and do so out of respect for the human rights of every last person on earth.

Cdl. Cushing Applauded

When he finished, Cardinal Cushing was applauded vigorously, though such demonstrations are contrary to the strict rules of the council.

He was followed by the less colorful but more scholarly Cardinal Albert Meyer of Chicago. Cardinal Meyer, a former professor, soberly cited five reasons why such a declaration is necessary. (1). Where religious liberty is enjoyed, a civic welfare is in a flourishing state. (2). Such a declaration will point the way to civil governments, showing them how to behave. (3). It will show that true religion does not consist in external con-

formity alone but in the free acceptance of the will of God. (4). It will aid the apostolate of the Church by showing that religion is best promoted by interior conviction. (5). It is required if Catholics are to enter into fruitful dialogue with their "separated brethren" in other Christian Churches. "We must give to others what we claim for ourselves," he concluded pointedly.

The amiable Cardinal Joseph Ritter of Saint Louis, probably the most "progressive" of all American Cardinals, was the next American to speak. Cardinal Ritter, unsettled perhaps by Father Murray's suggestion that the present declaration is theologically vulnerable but still anxious to have the council act on the question, proposed a change. He thought, he said, that all the reasons given for religious liberty should be eliminated in the text in order to avoid argument and the council should confine itself to a simple affirmation that all men have an inborn right to freedom of religion.

Cardinal Ritter's tactics turned out to be mistaken. A few minutes later, Cardinal Ottaviani, the quick-witted leader of the conservatives, had the

floor and expressed his hearty approval of Cardinal Ritter's suggestion. Some American periti groaned. Cardinal Ritter had let himself be trapped. A generalized statement on religious liberty would be meaningless. In his speech, Cardinal Ottaviani upheld the private rights of conscience but insisted on the obligation of a "Catholic state" to profess the one true religion and to impede the spread of others "when this may harm the unity of a Catholic nation and culminate in weakening it."

"Let us take care not to arm our adversaries," Cardinal Ottaviani concluded.

Asks Formal Protest

Cardinal Franziskus Koenig of Vienna, a supporter of the declaration, must have had something of the same idea in mind, though he applied it differently, when he pointed up the absence of religious liberty in the Communist countries and asked the Fathers to lodge a formal protest, through the United Nations, against the harassment of religion behind the Iron Curtain. Like Cardinal Cushing, he was also applauded.

It was significant, too, and indica-

tive of the force of Cardinal Ottaviani's dictum about "arming the enemy" that the normally quite conservative bishops from the Communist countries who spoke favored the declaration and pleaded eloquently for religious liberty to be practiced universally.

The supporters of the declaration generally confined themselves to the recognition of the rights of believers of whatever persuasion. But Cardinal Paul-Emile LeGer, Archbishop of Montreal, went further. He criticized the present draft because it is silent on the rights of non-believers, agnostics, and atheists.

It looked though, after rough estimates of the ultimate votes were taken, as if the progressive faction might be about to enjoy still another victory. One of the most eloquent defenses of their position was given by an Italian bishop, Carlo Colombo. Bishop Colombo was the last speaker on religious liberty recognized before the closure. He was given special attention by the Fathers because it was generally known that he was theological advisor to Cardinal Montini before he became Paul VI, and is still close to the Pope.

Father Zyermans, director of the Bureau of Information, N.C.W.C., Washington, D.C., is serving as OUR SUNDAY VISITOR's correspondent at the third session of the Second Vatican Council as he did for the previous council sessions.

THE American experiment has become, in this City of the Council, the American experience. With the discussion of the declaration on religious freedom American prelates and theologians have emerged as leading voices in and around the Council chambers.

As everyone expected for the past two years, the Americans would carry the ball of religious freedom. American prelates have been politely demanding such a declaration for the same number of years. What Archbishop Robert Lucey of San Antonio said last spring is now being dramatically fulfilled during this third session. "It would be entirely appropriate," said Archbishop Lucey, "that the American hierarchy should take the lead early in the next session of the Council to procure the adoption of a decree proclaiming authentic and universal freedom of religion made permanent and unbreakable by constitutional guarantees."

Two American priests are distinguishing themselves at this time by their efforts for promoting the declaration on religious freedom. Father John Courtney Murray, S.J. is recognized in all quarters as the most important theologian of religious freedom. His ideas, not too many years ago called suspect in some highly conservative Roman circles, are now being not only welcomed but even uttered on the floor of the Council.

Perhaps Father Murray's greatest contribution to the subject of religious freedom lies in the fact that he approaches the problem from the reality of the world today. He insists religious freedom can only truly be discussed by accepting the reality of a pluralistic society such as exists in the world today. Father Murray, the distinguished professor of Woodstock College, Md., also insists that religious freedom must always be considered in the light of the sacred freedom God gives every man in making his own act of faith.

discussion by the Council Fathers will, undoubtedly, be hailed in every part of the world as a sincere manifestation of the Church's concern for modern man. It insists upon the sacred freedom of the individual man to follow the dictates of his own conscience, even if that conscience be objectively erroneous. It further declares that this freedom is a social right, applicable to religious groups as well as individuals. Although it urges Catholics "to lead" separated brothers and non-Christians to the benefits of the light of the Gospel and of the life of the Church, it vehemently demands that all Catholics in all places must never employ coercion.

'Mother of Freedom'

As Americans we find it somewhat difficult to understand why all this insistence upon this declaration on religious freedom. This may be so because we have lived for so long in a land of religious freedom we cannot comprehend what it means not to enjoy this greatest of all civic blessings. It may be, too, that our narrowness or smugness prevents us from considering the plight of the millions and millions of people who do not now enjoy religious freedom. Because of these unfortunate people, who are also in various ways children of the Church, the Council Fathers want to show the Church as the Mother of Holy Freedom in this age, just as she has been the Mother of Saints and Scholars in past ages.

When Bishop Emile DeSmedt of Bruges, Belgium introduced the chapter on religious freedom during the second session he gave four reasons why the Council should adopt this declaration on religious freedom.

"1. *Truth.* The Church must teach and defend the right to religious liberty because there is question of the truth, the care of which was committed to her by Christ;

"2. *Defense.* The Church cannot remain silent today when almost half of mankind is deprived of religious liberty by atheistic materialism of various kinds;

"3. *Peaceful Social Life.* Today in all nations of the world, men, who adhere to different religions or

ARCHIVES The DISCUSSION on RELIGIOUS FREEDOM



OSV REPORTER AT THE COUNCIL

The other American priest who is busy-busy about many things but most of all right now about the declaration on religious freedom is Father Tom Stransky of the Paulist Fathers. As a permanent member of the Secretariat for Promoting Christian Unity, Father Stransky has been especially most solicitous for the Protestant observer-delegates.

Important overtones

Speaking of the declaration on religious freedom Father Stransky said, "Indeed, the declaration on religious liberty will generate heated discussion, but from that healthy crucible may emerge one of the most commanding documents in conciliar history."

Father Stransky, of course, is vitally concerned about religious liberty because of its important ecumenical overtones. His concern is substantiated by one observer-delegate who told me a few days ago that he thought one of the most important effects of the Council to date has been the recent statement of the Spanish bishops. He referred to the "bill of rights" adopted by the Spanish hierarchy on the eve of the third session which gives Protestants in Spain the same legal status as Catholics.

Last January Cardinal Meyer of Chicago insisted on the importance of a conciliar statement on religious liberty when he said, "Both Protestant and Catholic ecumenists are convinced that the ecumenical movement cannot be securely founded until a clear statement on the subject of religious liberty is fully developed."

The declaration on religious freedom now under

who lack all religious belief, must live together in one and the same human society; in the light of truth, the Church should point the way toward living together peacefully;

"4. *Ecumenism.* Many non-Catholics harbor an aversion against the Church or at least suspect her of a kind of Machiavellism because we seem to them to demand the free exercise of religion, when Catholics are in a minority in any nation and at the same time refuse to deny the same religious liberty when Catholics are in the majority."

An air of expectant confidence hangs over the Council. Few seem to doubt that the declaration on religious freedom will be met by the enthusiastic support of the overwhelming number of Council Fathers. The "bill of rights" of the Spanish bishops is one indication. The spirit of good Pope John which still breathes through the Council chambers is another. Few bishops have forgotten Pope John's statement in *Pacem in Terris*: "Every human being has the right to honor God according to the dictates of an upright conscience, and therefore the right to worship God publicly and privately."

The greatest assurance, however, comes from recalling the words Pope Paul addressed to participants in a United Nations Seminar on Freedom of Information last April 17. Then he said, "The Church, as you know, is also concerned with . . . religious liberty. That is a question whose importance and scope are such that the Ecumenical Council has been gripped by it. One can legitimately expect on this point that promulgation of a text which will be of far-reaching import not only for the Church but for all those — and they are innumerable — who feel themselves affected by an authorized declaration on that subject."

Council moves on freedom, collegiality, the Church

Cath Reporter
10/2/64

By James M. Johnson

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ROME — The Fathers of the Second Vatican Council have been making history in the past week or so, but the frantic pace they have been setting tends to obscure the progress.

On a single day last week, Wednesday, they participated in a ceremony honoring the relic of St. Andrew's head, which is being returned to the Greeks, heard two last speakers on the revised schema, On the Pastoral Duties of Bishops, listened to an oral outline of the proposal on religious liberty, began debates on that historic declaration and continued their voting on the schema, *De Ecclesia*.

To reporters assembled here the council sometimes appear to be an ecclesiastical three-ring circus, with something going on all the time in every ring.

The proposed declaration on religious liberty is historic in that such a concept has never been considered at any previous general council in the history of the Roman Catholic Church. The primary reason for its consideration now is its absolute necessity to the further development of ecumenical dialogue with other Christian Churches. But the declaration also will have profound effects on internal attitudes in the Church and certainly will affect missionary activities in the nations of Latin America and particularly Asia and Africa, where many of the countries are predominantly non-Christian.

The proposed text notes that it is both a duty and honor for man to follow the will of God according to his conscience and that man ought to be able to practice privately and publicly his religion with no restrictions imposed upon him. Society generally should establish conditions which guarantee religious liberty.

Religious liberty must be recognized and respected everywhere by all, the text affirms. The Church, in her desire to convert all men must not, however, use force or coercion because the very nature of the act of faith requires that it must be free. Although man has the duty of inquiring into the divine law, he must, however, follow the judgment of his own conscience and no man nor any power has the right to induce him to act contrary to the dictates of his own conscience.

But, as the Rev. John Courtney Murray, S.J., pointed out at a press panel discussion, conscience is always free, since it is interior. A man could be in prison or subjected to torture and still his conscience can be and is free, Father Murray said.

The text, however, goes on to proclaim that an essential element of religious liberty is the right to practice one's religion publicly. The text notes that the exercise of this right is subject to restriction, but these can be applied "only

when it is in grave conflict with the end of society." Therefore, state authorities cannot lawfully discriminate in any way against religion.

THREE OF THE FOUR American cardinals here in Rome immediately arose in the council hall to voice their approval of the proposal and urge its adoption by the Fathers — Cardinal Cushing in a booming voice that almost knocked the loudspeakers from the walls of the basilica.

But perhaps the best intervention came from Cardinal Paul Emile Leger of Montreal, who approved the text generally but found it too restricted. He told the Fathers:

"On the subject of religious liberty, what the text says is strictly applicable to all men without exception, even those who do not believe.

"We must affirm the freedom of religion even for those who wish to profess no religion at all. As for the foundation of religious liberty, it is inexact to put it in following the will of God or corresponding to man's divine vocation. This presupposes God and some will not accept God. This foundation should be put in the highest exercise of human reason. Anything against religious liberty is also against man and his reason."

Cardinal Fernando Quiroga y Palacios of Santiago de Compostela, Spain, noted that the text was good but feared its application to "Catholic countries" where,

he said, the situation was different. He wanted the text completely recast by a new, mixed commission.

The cardinal's countryman, Cardinal Jose Bueno y Monreal of Seville, tended to agree, noting that "it is sometimes lawful to prohibit the spread of error when it can do harm to those who want to profess the faith they have received from Christ."

Speaking in the name of 58 Latin American bishops, Cardinal Raul Silva Henriquez of Santiago, Chile, heartily approved the text and said that its application to Latin America ultimately would improve the Church's missionary efforts there.

Cardinal Ernesto Ruffini of Palermo, Italy, would grant freedom only to truth and tolerance to error. He also feared that the various concordats the Vatican has with many countries would be upset by the council's adoption of the declaration.

Finally, Cardinal Alfredo Ottaviani, secretary of the Holy Office, took exception with the text's statement that a man, even though in error, must be honored — there is a problem in that there is no equivalent Latin word for respect. Such a man deserves kindness and charity, but not honor, he said.

The cardinal also observed that "those professing a revealed religion have rights over and above those coming from the

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Council moves on freedom, equality, Church

(Continued from page 1)

natural law." He, too, feared the declaration's effects on the concordats.

SUCH VIEWS were not unexpected. Prelates from the traditionally Catholic nations still have difficulties distinguishing between the error, which has no rights, and the person in error, who retains and deserves his rights as a human person.

But the interventions, particularly that of Cardinal Leger, brought up a point that has caused some difficulty, especially among the American bishops. Both Cardinal Cushing and Cardinal Meyer, in their talks to the council, spoke for acceptance of the text basically as it is. But the intervention of Cardinal Joseph Ritter of St. Louis was aimed primarily at such objections as that raised by Cardinal Leger.

While Cardinal Ritter, in the first part of his oral intervention, called for approval of the declaration, he also pointed out:

"Accepting the substance of the declaration does not mean acceptance of the reasons given in the text. It is suggested to the moderators that they separate the vote on the substance of the declaration from the vote approving the reasons listed.

"Consequently, the declaration is acceptable *juxta modum* and the *modus* would be (1) avoid anything smacking of argumentation and (2) declare only that all men have an inborn right to religious freedom."

THE CARDINAL'S intervention reportedly grew out of doubts expressed at a meeting of the American bishops the first week of the conciliar session by Father Murray himself.

Father Murray, who had no part in the writing of the proposed declaration, confronted the American bishops with his own doubts as to the suitability of the reasons given in the text for religious liberty. He now has come to feel that they are suitable with some slight modifications.

Unfortunately, the American bishops have retained Father Murray's doubts and, according to several sources, they

have broken ranks on the religious liberty declaration. Virtually all of them continue to favor a firm conciliar declaration on religious liberty. But doubts have developed on whether the present text is adequate.

Aware of these doubts, Cardinal Ritter felt it necessary to urge the council to approve a strong declaration, while leaving the reasons out. The cardinal's intervention came as a surprise to several members of the American bishops' press panel. These *periti* (council experts) observed that the cardinal's compromise move might inevitably be necessary but they thought it premature on the first day of debate.

ARCHBISHOP PARENTE took up the cardinal's proposal the following day (Thursday) and asked only for a statement while dropping the reasons. But it is doubtful that Parente really wants a statement; his intervention was regarded as a maneuver to kill the whole proposal.

The Spaniards, for the most part, continued to attack the proposal. The heritage of the "Catholic state" tradition is proving to be difficult to overcome.

A far different approach was used by Archbishop Marcel Dubois of Besancon, France, in his intervention. The archbishop argued that the text is too philosophical and juridical in tone and urged greater usage of scripture and tradition.

"Every man must be regarded as a man, as a member of human society and as an object of the love of Christ," the archbishop argued, also noting that scriptural texts themselves indicated that Christ Himself urged religious liberty.

The French bishops generally are reported upset with the emphasis on philosophy and the pragmatic approach in both the text and the oral interventions. They prefer a more theological approach which will more securely anchor the statement itself and keep it more in line with the whole attitude of the council.

Arguments continued to be heard on the effect of the declaration on the system of concordats. Father Murray argues that it is possible for an established church to exist without harm to religious liberty. But he agrees that the "legal intolerance" which the state, sometimes in agreement with the Vatican by means of a concordat, exercises in regard to other churches will be detrimentally affected by the declaration.

Another problem in the religious liberty text is the statement that the rights of the person may be restricted by the state when they are "in grave conflict with the end of society." The question, raised at the press panel discussion, obviously is: "What is the end of society and who determines it?"

Father Murray observed that, on the basis of the American experience, the government has no competence to decide the end of society. The term itself is foreign to the American experience, Father Murray said, because there is more than one end of society.

Three norms are observed under the general heading of civil goods, Father Murray said. These norms are used in American public life to determine when it is necessary to restrict rights. The norms are public peace, public morality and also public health and finally harmony in the exercise of civil rights.

It was obvious that some modifications must be made in the text, the noted Jesuit concluded.

ALTHOUGH IT IS generally expected that the council will amend and finally approve the declaration on religious liberty, few persons here believe that the outcome is absolutely certain.

Members of the Secretariat of Christian Unity are cautious in their statements. They assert that the secretariat will consider all modifications or amendments submitted to the council Fathers and that the text will be altered in the sense desired by the majority.

But after revision by the secretariat, the text must again be submitted to the full council for a final vote. Father Stransky of the secretariat observed that it is physically possible for the secretariat to complete the revision for a final vote this session. But he could not say that a final vote certainly will be taken this fall.

The declaration on religious liberty, along with that on the Jews, was submitted to the council at the second session last year but they never were debated. Lack of time was given as the reason, but it was quite obvious that the reason was only an excuse.

The same thing could happen this year, Father Stransky agreed, but it is unlikely. Since it is not expected that the fourth and final session of the council will be held for three or four years, a delay possibly could be fatal.

EFFORTS ARE being made to strengthen the statement on the Jews and, despite the political factor of the Near Eastern situation, most persons here believe that the attempt will be successful.

Members of the Secretariat of Christian Unity were alarmed and upset about the release of the weakened, revised text to the press and the resulting uproar. They have been afraid that the heavy pressures applied to many bishops - particularly American bishops - might produce a "backlash." But a council *peritus* noted that most of the American bishops at least believed that the Jews had a right to be alarmed and were not particularly upset by the lobbying that has gone on.



Cushing speaks on religious liberty

Cath Reporter 10/2/67

Following is a translation of the Latin address by Cardinal Richard Cushing of Boston, supporting the ecumenical council's draft declaration on religious liberty, at the council session of Sept. 23.

THE DECLARATION on religious liberty in general is acceptable. In saying this I speak not only in my own name but also in the name of almost all the bishops of the United States.

It is most gratifying to us that at long last a full and free discussion on this subject will take place in this council hall. For in our time this is a practical question of great importance, both for the life of the Church and for the social and civil life. It is also a doctrinal question. For the doctrine of the Church on religious liberty in modern civil society has not yet been declared clearly and unambiguously.

This clear declaration is owed to the whole world — both Catholic and non-

Catholic — which is indeed awaiting it. Therefore, in making this declaration, this ecumenical council will manifest, if I may quote words famous in our American history, "a decent respect to the opinion of mankind."

As his excellency, the relator has said, the text of the declaration as it stands needs amendments here and there. But it is earnestly hoped that the amendments be such that the declaration be stronger in the meaning it already expresses and not weaker. For the substance of the doctrine as we have it here is true and solid. And it is aptly appropriate for our times. Therefore the declaration must remain intact as to its essential meaning.

One thing is of the greatest importance. In this declaration the Church must show herself to the entire modern world as the champion of liberty, of human liberty and of civil liberty, specifically in the matter of religion.

'Yes, but' votes remain, secretary-general says

VATICAN CITY (NC) — Archbishop Pericle Felici, secretary general of the ecumenical council, called a halt to a movement among council Fathers to cut down the number of "yes-but" votes on documents under debate.

Such votes are known technically as "*placet juxta modum*." This means the document is acceptable but with certain changes, which the voter submits along with his vote.

Father Yves Congar, O.P., a French theologian, has suggested to many council Fathers that like-thinking groups of them meet outside the council hall to decide on a single change for a document. This change would be submitted by one council Father only in the vote, the rest voting simply "*placet*," which is an unqualified affirmative.

Archbishop Felici told the council Fathers this arrangement was against the council's regulations.

Father John King, O.M.I., of the U.S. bishops' press panel, said Father Congar has been suggesting the modification as a means of ensuring broad majorities of affirmative votes in the council.

Father Frederick R. McManus, professor of canon law at the Catholic university of America, said some bishops had espoused this idea to avoid the appearance of disunity in the council. But he said this line of thought was based on a misunderstanding of the principle of the "*juxta modum*" vote, which is not a part of normal parliamentary or congressional procedure.

He said part of the very purpose of the "*juxta modum*" vote is to help insure unanimity in the final vote, in which no "*juxta modum*" votes are permitted. "*Juxta modum*" votes are needed in the preliminary voting, he said, precisely because the council is not a simple parliament, but a body that gives witness to the unity of Christian truth.

ON THE ONE HAND this whole question of religious liberty is somewhat complicated. On the other hand, it seems to me, the question is simple. The whole matter can be reduced to two propositions.

First: Throughout her history the Catholic Church has ever insisted upon her own freedom in civil society and before the public powers. She has fought for the freedom of the Pope, of the bishops to teach and govern the people of God. She has fought for the freedom of this same people of God, who have the right to live in civil society according to the dictates of Christian conscience without interference. The first proposition, therefore, is contained in the traditional formula, "*libertas Ecclesiae*."

The second proposition is this: That same freedom in civil society which the Church has ever insisted upon for herself and her members, she now in this our age also champions for other churches and their members, indeed for every human person.

LET ME PRESENT some reasons, briefly, for this statement. They are taken from the encyclical letter, *Pacem in Terris*, of Pope John XXIII, of most blessed memory.

For Pope John said in his encyclical that every well ordered society is grounded in truth, in justice, in love, in liberty. Now in the first place, equal and universal religious liberty is demanded by that fundamental truth according to which all men, in so far as they are human persons, are of equal dignity; equally endowed with the same human rights, among which Pope John specified the right to religious liberty.

Secondly, religious liberty is demanded by justice. For justice requires that all citizens equally enjoy the same civil rights which in our age are acknowledged as necessary for due civil dignity. And among these rights the first is the right to religious liberty.

Thirdly, religious liberty is demanded by love. For nothing is more violently destructive of unity and civil concord than coercion or discrimination, either legally or illegally, because of religious reasons.

Fourthly, religious liberty is demand-

ed by the very principle of civil liberty. For as Lord Acton said, speaking in the tradition of Christian civilization: "Freedom is the highest political end." Now, as the highest political end, civil liberty is also the means necessary to attain the higher ends of the human person. And this is the mind of Pope John. In particular, religious freedom — or the immunity from all coercion in religious affairs — is a necessary means by which man, in a manner which is human and willed by God, can seek God, can find Him, can serve Him.

There are other arguments for validity of the human and civil to religious liberty in society, as are stated in this declaration. I say "in general is acceptable" so I praise and approve this d

Sept. 25 - - Freedom Debate Ends (Temporarily) After Three Days

VATICAN CITY (NC) — Debate of the Second Vatican Council on the declaration on religious liberty was brought to a close Sept. 25 after three days of praise and criticism.

One of the last to speak in its favor was Archbishop Karl J. Alter of Cincinnati. Another was a former personal theologian of Pope Paul VI.

Several other bishops, including some Americans who had been scheduled to speak, did not take the floor because the moderator, Leo Cardinal Suenens of Malines-Brussels, moved that debate had been sufficient to expose the areas of opinions on the document. A vast majority of the Council favored closing debate.

A few more interventions would be heard later if the bishops can secure the signatures showing that each speaks in the name of 70 or more Council Fathers.

Archbishop Alter told the Council that the declaration does not affirm a personal right of any individual to teach error or to do harm. He insisted that the declaration does not speak at all of the possible senses in which religious freedom can be understood, but only refers to the right of every human being to be free of outside force in his worship of God.

Archbishop Alter noted that persons do not have a personal right to teach error or do harm. What the declaration claims for the individual is only freedom from social coercion, he said.

The prelate said that peace and harmony would be promoted if the council issues a clear declaration on this point, especially in areas where the Church is living in a pluralistic society.

Because Catholics have been accused of inconsistency and even of insincerity, as though they shifted their stand on religious liberty according to their majority or minority in social society, the text should be so formulated as to forestall any repetition of these doubts and suspicions, he said.

Archbishop Alter added that the Fathers should affirm the absolute incompetence of public officials to judge religious matters, and should reiterate that these officials have the obligation to use all appropriate means to insure practice of religion with safety to the individual.

This declaration, said the archbishop, is good for the Church. It does not say that men enjoy an absolute right to independence from all authority on earth, including the Church, he added.

But without liberty for the Church's individual members, that liberty which the Church has always claimed for herself would be useless and meaningless, he said.

Support of the declaration also came from Bishop Carlo Colombo, head of the theological faculty of the Milan archdiocesan seminary, who was Pope Paul's theologian when the Pontiff was Archbishop of Milan and who remains a close friend of the Pope.

Bishop Colombo defended the doctrinal character of the text and said it should be retained. He said the text, although pastoral in intent, cannot avoid being doctrinal at the same time and it should set forth principles governing relationships of persons with moral and religious truth.

Offering a number of principles to guide in drawing up this doctrine, Bishop Colombo noted that problems offered by the exercise of freedom of religion cannot be solved always and everywhere in the same way. Solutions will differ according to circumstance.

Not all of the day's 11 speakers were so in favor. Bishop Ubaldo Cibirian Fernandez, C.P.,

for Corocoro, Bolivia, called the declaration unacceptable. He gave as his reason his belief that it was not based on adequate doctrinal principles.

As it stands now, he said, its teaching is in conflict with the magisterium (teaching authority) of the Church.

The master general of the Dominicans, Fr. Aniceto Fernandez, O.P., also criticized the declaration. He called it a sign of our times in that it shows a desire to avoid all division and criticism. He called it weak because it affirms merely the subject principle as the basis for freedom of religion, and because, by leaving too much to the dictates of conscience, it obscures the principal founts of Christian doctrine.

The 88th session opened with Mass in the Syro-Antiochene rite.

Archbishop Felici announced the distribution of the declaration on the Jews, and also that the Pope has granted all Council Fathers who are not bishops the same powers to hear confessions in Rome as were granted to the bishops last December.

It was also announced that the six schemata which have been reduced to propositions and which were only to be voted

on without debate will now be accompanied by a brief discussion in the council hall before voting. Archbishop Felici said this was in response to requests from many bishops.

During the session votes were taken on six more amendments to the schema on the Church, dealing largely with aspects of infallibility.

The first speaker of the day was a Francesco Cardinal Roberti, president of the Commission on the Reform of the Roman Curia. This identification was given in the Council press bulletin and was the first disclosure of this title, although it had been known generally that he had been named to the post earlier by the Pope.

Cardinal Roberti stated that a clear distinction was needed between freedom of conscience and freedom of consciences. As freedom of conscience is often understood today, he said, it means conferring on an individual right of free personal choice, even when confronted with the law of God. The Church cannot admit freedom of conscience in its present-day sense because the Church could thereby be in contradiction with itself. However, the Church can admit freedom of consciences, he said, because this implies freedom from all

external coercion in the belief and exercise of religion.

Archbishop Denis E. Hurley of Durban, South Africa, made a speech which was a vigorous attempt to refute the classic argument for a state's right to intervene in religious matters. He pointed out that if the state has such a right, then the schema should be altered.

He reduced this classic argument to skeletal form. It begins with the premise that man is a social being and is therefore obliged to worship in a social way. Therefore, society should worship God in the way God points out.

Archbishop Hurley said that the flaw of this argument is that it jumps from its premise to the unwarranted conclusion that civil society as such must be concerned with this worship.

He said that if God founded a special society for this purpose, then the "famous principle of subsidiarity" releases civil society from competence over religious matters. But God did found such a society, the Church.

He said the classical argument holds that the Church has direct power over civil society, and not merely in what pertains to worship but even in the civil constitution itself. But this, he said, is no longer admitted.

He said that a declaration that civil society has no obligation or authority in religious matters would not harm the Church. On the contrary, it could pave the way for the Church's broader influence in a society that is not resentful against the Church on account of any authoritarianism.

Spanish-born Bishop Cibirian Fernandez objected to the text on the grounds that its foundation should be in God and of the nature of truth. He warned the Council that the declaration cannot be in conflict with the Church's magisterium. Basically we should declare simply that religious liberty must be implemented in practice and with all due respect for the rights of others, he said.

Exiled Bishop Frederick Melendro, S.J., of Ankang, China, and

gested it would be best if the whole discussion of the subject were postponed to allow the matter to mature.

Objecting that the declaration bases religious liberty on the norm of the dictates of conscience, he stated that it is not sufficient to say that men are invited to embrace the true faith. Rather, they are bound to do so by the divine law, he said.

Polish Archbishop Karol Wojtyla of Cracow declared that all should make ceaseless efforts to secure full religious liberty from the state, because no state has the power to dominate religion. A declaration of this kind is expected from the Council by peoples of all faiths, he said.

Archbishop Gabriel Garrone of Toulouse, France, said the apparent contradiction between the declaration's doctrine and the actual practice of the Church is not a real one. Noting the profound changes which have taken place in the past century, he indicated that the Church formerly emphasized what it saw as the threat from doctrinaire liberalism. Today, he said, it stresses the rights of man in his daily life. There have been regrettable incidents in the past, and for these the Church is humbly penitent, he said. But he added that the doctrine of the declaration should point out that no real contradiction exists.

Vietnamese Bishop Simon Hoa Nguyen van Hien of Dalat said the declaration is of immense importance for dialogues with other Christians and in areas where Christians are a minority. He called for a change in the title to "Basic principles of Religious Liberty," and asked for a new paragraph treating of man's objective calling from God and of the mission and function of the Church in relation to civil society.

Ireland's Bishop Cornelius Lucey of Cork and Ross declared that the liberty of conscience is a human right and is not to be understood as a personal moral right. There is a universal obligation to respect good faith; no

matter where it may be found.

that while man's personal acts of religion are always acceptable to God, this gives no right to interfere with the acts of religion performed by others.

Last speaker of the day was Bishop Colombo, and with him debate was closed. Amendments and votes cast that day on the schema on the Church follow:

Amendment 25—That bishops do not have the gift of infallibility as individuals, but that the universal body of bishops is infallible when it teaches solemnly, in union with the successor of Peter, especially in ecumenical councils. The vote was, 2,134 "yes" and 63 "no."

Amendment 26—That the scope of this infallibility is co-terminus with the deposit of divine revelation. The vote was 2,059 "yes" and 32 "no."

Amendment 27—That the Roman Pontiff is infallible when he definitively proclaims a point of faith or morals as pastor and teacher of the faithful of Christ. His infallibility does not depend on the consent of the Church. This is because he does not declare his opinions as a private person but as supreme teacher of the universal Church. The vote was 2,140 "yes" and 45 "no."

Amendment 28—That the infallibility promised to the Church is found in the body of bishops when it exercises the supreme magisterium in union with the successor of Peter. Such definitions always have the assent of the Church because of the action of the Holy Spirit. The vote was 2,139 "yes" and 46 "no."

Amendment 29—That when the Roman Pontiff or the Council issues a definition, this is in keeping with Revelation, which all are bound to accept. In the investigation and formulation of definitions, the Roman Pontiff and the bishops, according to circumstances, cooperate but they can never proclaim a new public relation as belonging to the divine deposit of faith. The vote was 2,155 "yes" and 25 "no."

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FEIFFER

EVERYBODY SAYS
I LOOK JUST
LIKE MY FATHER.



IT'S A
LIE!



Assaulting the Nation's Clergy

If in crediting the validity of the paperback treatise "None Dare Call It Treason" (by John A. Stormer) the choice is between the credentials of the clergyman-State representative from East Pittsburgh who has endorsed the publication via paid advertisement in the local daily press or the Office of Information of the National Council of Churches, then there is no hesitation on our part. We credit the latter.

The advertisement in the local press describes the paperback as "a carefully documented work that is piercingly and frightfully (sic) revealing." The National Council of Churches' agency says that it is a synthesis from sources who "are the well-known 'apostles of discord' familiar to most responsible church people as professional dissidents." We are inclined to agree.

The thesis of "None Dare Call It Treason" is that the Communists and their dupes have infiltrated and threaten to control government, courts, labor movement, mass media, education, and even the psychiatric profession.

The whole thing is reminiscent of the McCarthy era. Charges of Communism in the churches (charges repudiated by FBI Director J. Edgar Hoover before the House Committee on Un-American Activities) are resurrected. And the old Air Force Reserve Training Manual (which alleged that the National Council of Churches and some church leaders were sympathetic to Communism) is dusted off. Significantly, the paperback omits the information that the manual was withdrawn by the Air Force, officially retracted by the Defense Department, and drew a public apology from the Secretary of Defense to the National Council of Churches.

The NCC's Office of Information is the second responsible authority to challenge "None Dare Call It Treason" in recent weeks. The executive secretary of the Toledo (Ohio) Area Council of Churches, the Rev. Garnett E. Phibbs, declared earlier that the paperback is "all 'old hat,' regurgitated and chewed over again." He charged that a chapter entitled "Subverting

Our Religious Heritage" is "a clever manipulation of half-truths, guilt-by-association, quoting out of context and just plain character assassination."

Said Rev. Phibbs: "Not even this frightful election year can justify such vitriolic attacks on the loyalty of our Protestant clergy, churches and councils! There are plenty of things wrong with us — but we are not Communists, dupes or sympathizers, and anyone in his right mind knows it."

There has been a fantastic flood of radical right literature of late. The Anti-Defamation League of B'nai B'rith reported just the other day that over \$14-million is being spent annually in an "assault on democratic progress," and that this year the expenditures of "radical right" and "lunatic fringe" groups may reach \$25-million.

The surge of extremist propaganda is such that some of the nation's most respected religious leaders (e.g., Episcopal Bishop Arthur Lichtenberger, Methodist Bishop Lloyd C. Wicke, Dr. Vernon X. Miller, dean of Catholic University's School of Law) have launched a new Council for Civic Responsibility, to counteract through mass media the misstatements and distortions of fact that are currently being disseminated.

It is the program of an organization such as the Council for Civic Responsibility, not dubious campaigns in behalf of questionable causes, which, one would hope, would instinctively attract the interest and encouragement of one who enjoys the prestige of both the "cloth" and public office — as does our neighbor in East Pittsburgh, the Rev. Earl S. Walker, Lutheran clergyman and representative for the 18th Legislative District.

The temptation is to impute political motives to the endorsement, but this temptation we resist, knowing how conscientious are Protestant clergymen, even those who hold public office, about the principle of separation of church and state.

MY FATHER HAS MILLIONS
OF LITTLE BLACK HOLES
IN HIS FACE. I DON'T
HAVE A SINGLE HOLE.



MY FATHER SMELLS
LIKE CHOPPED
MEAT. I SMELL
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Norma Krause Herzfeld

Is Our 'Anomie' Showing

Despite the unprecedented prosperity and the social and political stability of American life, an increasing uneasiness seems to lurk underneath it all. It may have been this unformulated disquiet that...

attainable, the pursuit is uneven and demoralizing.

Our society is so structured that little room for dissent from the majority of people conform to...

Needed: A New Immigration Law

Religious Freedom Called Peak Of Human Dignity

BY FATHER JOHN DONNELLY
(N. C. W. C. News Service)

VATICAN CITY—The ecumenical council's draft text of the celebrated declaration on religious liberty proclaims that the freedom to follow God's call is the peak of human dignity and the foundation and safeguard of other freedoms.

If adopted as it now stands the declaration would proclaim the right of every man to follow his own conscience even if it leads him into error, provided he forms his conscience under the guidance of prudence and sincerity.

DETAILS of the proposed declaration, drafted by the Secretariat for Promoting Christian Unity, were released in summary form by the council press office as debate on the document began (Sept. 23). The text was introduced at the council during last year's session but failed to reach the floor for discussion. The "summary" runs to 5,000 words.

The text in defining the term religious liberty distinguishes between the freedom of the individual in his relations with God and his freedom in rela-

tions with other men. The declaration is concerned exclusively with the latter, "other men," being considered either as individuals or as members of religious groups.

IT STATES that the foundation of man's religious freedom "comes from the very serious obligation of respecting human dignity and following the law of God according to the dictates of a conscience sincerely formed."

According to the press office summary, the declaration as it stands is reminiscent of the phrasing in Pope John XXIII's encyclical on peace, *Pacem in Terris*. The encyclical states in its first section: "Every human being has the right to honor God according to the dictates of an upright conscience, and the right to profess his religion privately and publicly."

THE DRAFT declaration recognizes for religious groups authentic religious liberty in those things which develop spiritual life among men, both private and public.

It demands the establishment in society of the conditions necessary to guarantee this.

The problem is an urgent one it states, noting that closer bonds between people of diverse cultures and religions as well as increased awareness of personal responsibility have resulted from the evolution of modern law and society.

IT PLACES emphasis on the objective truth—absolute and universal—of divine law "in such a way as to exclude all danger of subjectivism and indifferentism."

Regarding the question as to when religious rights may be restricted, the text states the principle that it is the duty of governments, in matters of religion, to reconcile and harmonize things so that the exercise of the rights of another.

IN THIS connection it recognizes society's right to restrict religious freedom as legitimate only when this exercise is "in grave conflict with the purpose of society." It adds:

"Consequently, it is unlawful for state authorities to discriminate against religion in any

way. It is on the contrary their duty to protect and encourage religious liberty.

"Civil authorities have no direct power to regulate relationships of citizens with God. Hence they may not subject religious groups to the temporal aims of the state. On the contrary, it contributes to the common welfare when conditions are created which will favor religious life."

THE summary makes a distinction between the right to propagate one's own religion sincerely and honestly and abuses of this right when "dishonest means" are employed in religious propaganda.

Concerning missionary activity according to the Church's mandate from Christ, the text urges "love, prudence and patience, in accordance with the ways of God." It condemns all coercion, direct or indirect, citing the traditional teaching of the Church that by its very nature an act of faith must be fully free.

PROSELYTISM is condemned. Father Thomas Stransky, C. S. P., of the Christian unity secretariat defined proselytism as using "bad means" to achieve conversion. Among the "bad means" cited by the American priest were "calumny, bribery, blackening the name of other religions, or whitewashing one's own."

(He also specified the luring of hungry persons into the Faith by giving them food—so-called "rice" Christianity. Father Stransky said that the terms used here are the same as those used by the World Council of Churches. He said that ecumenists are just beginning to discuss their implications.)

THE text proclaims that religious liberty is to be respected "not only by Christians and for Christians, but by all and for all—persons, individuals and religious groups."

The press office summary states that the document ends with the ringing assertion: "There can be no peaceful coexistence in the human family in the world today without religious liberty in society."

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Fathers of council approve collegiality, then tackle religious liberty statement

BULLETIN

At Criterion press time Thursday, national wire services reported that American bishops at the council had launched an intensive campaign for a declaration on religious liberty. Spearheading the drive, which drew strong opposition from Spanish and Italian prelates, were Cardinals Cushing, Meyer and Ritter. Another late report from Vatican City announced that an American nun, Sister Mary Luke, president of the Conference of Major Religious Superiors of Women's Institutes of America, is among 15 women who have been named council auditors.

By JAMES C. O'NEILL

VATICAN CITY—By an overwhelming majority the Second Vatican Council voted to approve the teaching that all Catholic bishops today are successors of the Apostles by divine institution and that they, with the Pope as their head, make up a college like that which was formed by St. Peter and Apostles.

Thus at the 85th general meeting of the Second Vatican Council, the work of the First Vatican Council, begun almost 100 years ago, has been advanced significantly. The First Vatican Council defined the infallibility of the Pope but was adjourned before the precise relation of the bishops among themselves and to the Pope was worked out.

At the same time, while affirming the divine origin of the episcopate and of its intimate union with the Pope in the College of Bishops, the council Fathers also affirmed by vote that the College of Bishops has no authority except with the Roman Pontiff, the successor of St. Peter, as its head. It affirmed that his power of primacy over all, both bishops and faithful, remains intact.

During the September 22 meeting eight votes were taken and eight passed with tremendous majorities. These votes approved the changes in the third chapter of the schema on the nature of the Church dealing specifically with the place of the bishops within the Church and their relations to each other and to the Pope.

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The Pilot

BOSTON, SATURDAY, SEPTEMBER 26, 1964

VOL. 135 NO. 39

TEN CENTS

Cardinal Cushing Leads U.S. Bishops In Call for Stand on Religious Liberty

Cardinals Meyer and Ritter Back Boston Prelate's 'Justice for Others'

(Compiled from the N.C.W.C. News Service, the United Press International wire services and cable-correspondence of Rev. John J. Grant, THE PILOT Associate Editor.)

VATICAN CITY, Sept. 23—Three U.S. Cardinals, speaking fervently in favor of religious liberty, set off a violent counter-attack from Italian conservatives at the Ecumenical Council.

Richard Cardinal Cushing, Archbishop of Boston, led off the debate on freedom of worship by calling it "the most important issue before the Council Fathers." A burst of applause greeted Cardinal Cushing when he sat down.

Albert Cardinal Meyer of Chicago and Joseph Cardinal Ritter of St. Louis backed Cardinal Cushing's view that "we must give to others what we claim for ourselves."

Cardinal Cushing was the first American and the fourth Cardinal to speak in the first session. His Latin was described as "clear and somewhat oratorical in style" for his first speech of the Council.

According to the N.C.W.C. News Service's Rome Bureau, both Cardinal Cushing and Meyer announced that they were speaking in the names of virtually all the U.S. Bishops.

Declaring that it was a "cause of joy" that the opportunity for full and free discussion of the important topic had presented itself in the Council Hall, Cardinal Cushing noted that the Catholic and non-Catholic world alike is waiting for this declaration.

Cardinal Cushing summed up the spirit of the declaration with the English language phrase from the Declaration of Independence, "a decent respect for the opinion of mankind." He declared that the Church must champion religious liberty and that if any changes are to be made in the Council document, they should strengthen rather than weaken it.

His Eminence stressed that the essential substance of the declaration must be retained.

The Cardinal said that the Church has always championed freedom for its activities and that now is the time for the Council to proclaim that "what we asked for ourselves, we also ask for every human being."

Towards the end of his speech, Cardinal Cushing again used English to quote Lord Acton to the effect that "freedom is the highest political end." He also cited Pope John on the point that every well-ordered society seeks to guarantee its members a life according to truth, justice, love and freedom.

Each of these characteristics is reflected in the concept of religious liberty, the Cardinal said.

"Truth, because all men have a right to human dignity and

society cannot discriminate against its members.

"Justice, because it requires that all men enjoy the same civil liberties due to human nature and dignity."

"Love, because nothing is more destructive to unity, concord, and fraternal charity than attacks on religion and belief."

"Freedom, or civil liberty, because it is the necessary means to achieve the highest end of man."

He noted that Pope John XXIII had outlined the more cogent reasons demanding such

a declaration on religious liberty.

Cardinal Meyer said the proposed declaration was absolutely necessary. "It shows," the Chicago Cardinal said, "that true religion is promoted by interior conviction and nothing else... the declaration will also be most fruitful in the dialogue with other Christians."

He added that the religious liberty declaration is of such immense importance that if it is not passed "then nothing

(Continued on Page Three)

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(Continued from Page One)

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The Canadian Archbishop of Montreal, Paul Emile Cardinal Leger, said ~~the~~ the declaration was "acceptable, prudent and cautious."

Two leading Italian Cardinals, Alfredo Ottaviani of the Holy Office and Ernesto Ruffini of Palermo, attacked the American view.

They both said that public authorities have the right to dictate a state religion and that if the religious liberty declaration presented to the Council were passed it would mean an end to Vatican Concordats with Catholic nations.

"A man in error should not be entitled to honor," Cardinal Ottaviani stated. He said there should be no freedom in Catholic nations to propagate religious information which might be harmful to Catholicism.

Nine Cardinals in all spoke on the key declaration prepared by the Secretariat for Promoting Christian Unity.

Two Spaniards lined up behind the Italian view, while a South American and a Canadian backed the Americans in a dramatic encounter of the views of the New World against the Old.

The declaration on religious liberty states that it is the right of a person to exercise his religion freely according to the dictates of his conscience.

The declaration also says that all persons should be immune from external force in his relations with God.

The declaration was first presented last year but there was no debate and no vote. Since then, 38 written observations and amendments to the text have been submitted by Council Fathers to the Secretariat of Christian Unity.

The Pilot

Official Organ of the Archdiocese of Boston, Mass., Established 1829

BOSTON, SATURDAY, SEPTEMBER 26, 1964

Religious Liberty

"A DECENT RESPECT for the opinions of mankind . . ." is a phrase rich with the history of America. This week when it echoed through the great basilica of St. Peter's, Boston's Cardinal Cushing was presenting a powerful plea for a declaration on religious liberty to the Fathers of Vatican Council II. He made his plea in terms easily understood in our country. When he finished, a burst of applause indicated the hearty compliance of the majority of the bishops with the sentiments of the Cardinal. Other traditions may see it differently, and they have opportunity to speak for themselves, but a realistic view of the world in which we live, and the work of the Church in that world, is bound to favor freedom.

The American concept of civil liberty has been studied by theologians for years and it is in harmony with authentic Catholic teaching and, indeed, protects those values most precious to religion.

With freedom comes a respect for the individual conscience, that internal consent which is at the heart of faith, and a recognition of the total dignity of each human person. Whatever defenses may have been made for the repressive measures of other days, they are no longer relevant, and the Council does well to place a high priority on the Catholic commitment to freedom. Cardinal Meyer spoke well when he said if this schema is not passed, nothing much else the Council does will be of importance.

Catholic Americans are proud of the leadership the American hierarchy has provided on this critical subject and they are confident that the call to freedom will find a warm echo in the hearts of the vast majority of the bishops of the Council. Pope John, just a few years ago, gave a new dimension to the true meaning of liberty; the Johannine Council, it appears, will now confirm it.

Council Fathers Approve Collegiality Teaching

VATICAN CITY (NC)—By an overwhelming majority the second Vatican Council voted to approve the teaching that all Catholic bishops today are successors of the Apostles by divine institution and that they, with the pope as their head, make up a college like that which was formed by St. Peter and Apostles.

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The amendments and votes cast Sept. 22—the totals of which are greater than the individual tallies because they do not include the "yes" votes with reservations, which are not supposed to be made on amendments—are as follows:

Fifth amendment—That bishops are the successors of the apostles by divine institution. Total votes, 2,448; "yes," 2,198; "no," 106 null ballots, 0.

Sixth amendment—That the episcopacy is a sacrament. Total votes, 2,246; "yes," 2,201; "no," 44; null ballots, 1.

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Twelfth amendment—That the College of Bishops has no authority except with the Roman pontiff, the successor of St. Peter, as its head, and that his power of primacy over all, both bishops and faithful, remains intact. Total votes, 2,205; "yes," 2,114; "no," 91; null ballots, 0.

In addition to the votes taken on Sept. 22, the results of two votes taken Sept. 21 on amendments three and four were announced. They were:

Third amendment—That the mission of the bishops endures

until the end of time. Total votes, 2,211; "yes," 2,103; "no," 108; null ballots, 1.

Fourth Amendment—That the mission of the apostles is the mission of the bishops as that of St. Peter is that of the popes. Total votes, 2,207; "yes," 2,091; "no," 115; null ballots, 1.

THE COUNCIL session opened with a Mass celebrated by Archbishop Maurice Roy of Québec. The Gospel was enthroned by Coadjutor Bishop Geraldo Pellanda of Ponta Grossa, Brazil. Eighteen bishops spoke, including six Frenchmen. Debate continued on the schema on the pastoral duties of bishops.

It was announced that debate was to begin Sept. 23 on the declaration on religious liberty, although one more speaker was still scheduled to discuss the schema on bishops.

In general, the day's debate dealt with relations between priests and bishops and called for the use by bishops of more scientific sociological knowledge to meet the great changes of modern times, and for greater cooperation and understanding between bishops and Religious working in their diocese.

BISHOP Louis Guyot of Coutances, France, opened the session, speaking in part for all the bishops of France. In the name of the French bishops, he called for a reorganization of all texts dealing with priests and the priesthood. He said that at the present references are scattered through several projects and propositions and that there is a lack of organization which does not make it easy to have a theological vision of the role of the priest.

Then speaking for himself alone, Bishop Guyot made a plea for closer relations between bishops and their priests. He asked for a pastoral dialogue and stated that bishops should not be only an administrator to his priests.

BISHOP Richard Guilly, S. J., of Georgetown, British Guiana, spoke in the name of 17 council Fathers. He criticized the schema for considering relations between bishops and Religious only in terms of the individual diocese. He stated that Religious should be at the disposition of the pope and that

Press Bishop

VATICAN CITY (NC)—Archbishop Joseph T. McGucken of San Francisco has replaced Bishop Albert R. Zuroweste of Belleville, Ill., as a member of the ecumenical council's Committee for Press Relations, it was announced here (Sept. 22).

CONTINUED ON PAGE 8



STRIKING ACTION in which Pope Paul VI, joined by 24 Council Fathers from all around the globe, concelebrated opening Mass of the third session of Vatican Council II (Sept. 14). Two United States prelates, seen in chasubles at left front of altar are Archbishop John J. Krol of Philadelphia and Archbishop Lawrence J. Shehan of Baltimore.

OVERWHELMING VOTE

Council Approves Collegiality Teaching

CONTINUED FROM PAGE 1

it would be well not to strike too deeply at the exemption of Religious from diocesan authority lest they not be available to the pope.

Archbishop Joseph Urtaun of Avignon, France, called for collaboration between bishops and Religious, saying they should form a single family. Teamwork was called for again and the Archbishop stressed particularly the need for it in terms of interparish activities.

Bishop Pablo Barrachina Estevan of Orihuela-Alicante, Spain, said it is basic from a pastoral viewpoint that the diocese be looked on as a model or miniature of the universal Church. He warned that bishops should not favor some priests more than others because of the income which comes with the individual's assignment. To do away with this problem he recommended that bishops take steps to reduce differences and inequalities.

ARCHBISHOP Emile Guerry of Cambrai, France, urged that more stress be put on the bishops' duty of didactic preaching. He said that the modern world calls bishops to a new form of preaching because they are called on to appear in civil life and should be heard on civil and social problems. Bishops need to be aware of the social problems of the day and need the explicit knowledge of the

social order they can gain from laymen, he said.

Archbishop Guerry admitted that this would take courage and humility and the gift of clarity.

Bishop Jean Sauvage of Annecy, France, said he felt the schema talked too much of the relation of priests to bishops and that it should also stress that of bishops to priests and the bond of unity which should exist between them.

ARCHBISHOP Eugene D'Souza of Bhopal, India, echoed the call for cooperation between bishops and Religious. Saying that in some cases Religious fear falling under a diocesan dictatorship, he warned that there must be give and take on both sides.

Religious should not push their privileges, he said. To safeguard their interest he suggested they be given a place on national episcopal conferences or that a mixed commission of bishops and Religious be set up. Lastly he warned against what St. John Chrysostom called "those icy words—yours and mine."

Another Frenchman, Auxiliary Bishop Marius Maziers of Lyons, deplored the lack of a pastoral tone in the schema and called for emphasis to be placed on poverty, simplicity,

humility and the need for being near the people.

A similar note was sounded by Coadjutor Bishop Herbert Bednorz of Katowice, Poland, who wanted stress to be placed on the care of souls. He emphasized the need for a missionary spirit and said that a pastor must serve everyone, not just Catholics. He recommended a common life for all engaged in apostolic work.

ARCHBISHOP Miguel Miranday Gomez of Mexico City devoted his talk to a plea to include material on vocations. Talking of the vocation crisis in Latin America, he urged cooperation of bishops and Religious in securing vocations.

Listen as well as speak; That was the advice of Bishop Juan Iriarte of Reconquista, Argentina. Saying that since there had been a change in types of bishops from feudal times to the period after the Council of Trent, so too a change is now needed from the post-Trent era to today and bishops must convince rather than dominate. Cardinal Doepfner intervened to call him to matters under discussion.

Bishop Wilhelm Pluta of Gorzow, Poland, was another to deplore the lack of a strong pastoral tone in the schema. He asked the council Fathers to issues a declaration to correct the lack of concern for

pastoral theology.

THREE bishops devoted their remarks to the need for bishops to use sociological studies and other scientific means of getting to know the needs and problems of their people.

Bishops Leonidas Proano Villalba of Riobamba, Ecuador; Samuel Ruiz Garcia of Chiapas, Mexico, and Charles-Marie Himmer of Tournai, Belgium, all stressed the fact that a bishop cannot know his people individually today, but that he must know about them. To do this he should use the instruments which science, and particularly sociology, give to him.

An Eastern-rite prelate took issue with the schema because, he said, he felt it was wholly directed to dioceses of the Latin rite. Maronite-rite Archbishop Ignace Ziade of Beirut, Lebanon, called for revision of the schema so that it will apply also to the Eastern-rite areas. In particular he called for abolition of multiple-rite dioceses with a mixture of rites

and jurisdictions. He pointed out that the Holy See was careful not to appoint two men to the same titular See and asked why the same concern could not be shown toward living Sees.

BISHOP Agostinho Lopes De Moura, C. S.Sp., of Portalegre-Castelo Branco, Portugal, suggested various technical changes.

He was followed by Archbishop Antoni Baraniak of Poznan, Poland, who read a statement of Polish Archbishop Jozef Gawlina, who had died the day before.

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New York 22, New York



POPE PAUL VI in animated conversation with Dr. Martin Luther King and Rev. Ralph Abernathy, U.S. civil rights leaders, as Msgr. Paul Marchinus of Chicago, attached to the Vatican Secretariat of State, looks on. "I am a friend of the Negro people," the Pope told Dr. King.

'A NECESSITY'

American Cardinals Urge Freedom Vote

VATICAN CITY (NC)—Three American Cardinals spoke in support of the proposed Council declaration of Religious Freedom.

Richard Cardinal Cushing of Boston and Albert Cardinal Meyer of Chicago, speaking in the name of practically all of the U. S. Bishops warmly favored approval of the entire document, with minor changes. Joseph Cardinal Ritter of St. Louis agreed with the substance of the document but said he does not agree with some arguments advanced for various parts of the document.

ways championed liberty for its own actions, he said, and must now proclaim that what it asked for itself. It asks for every human being. He called freedom the "highest political end".

Cardinal Meyer said the declaration was in accord with Pope John XXIII's teaching in Pacem in Terris and added that its passage by the Council is absolutely necessary. He said that some changes should be made in the text but he warned that if the declaration was not passed nothing else enacted by the Council.

AT COUNCIL

Bishops Arrive From Hungary

ROME (NC)—Ten Hungarian bishops led by Archbishop Endre Hannay of Kalocsa arrived in Rome (Sept. 18) and took part in a meeting with the Pope.

The office day, Pope Paul VI

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Among the bishops there were five who were named by Pope Paul VI on Sept. 15 after the signing of an agreement between the Holy See and Red-ruled Hungary.

MSGR. Jozsef Ijjas told newsmen that the trip had been paid for by the Hungarian government. Asked about Jozsef Cardinal Mindszenty, Hungarian Primate who is still living in refuge in the U. S. legation in Budapest, he said: "Discussions continue and it is possible that we may have good news soon."

Asked about the terms of the

new agreement, Msgr. Ijjas said that the question of teaching religion in the schools is still under discussion.

FIVE bishops-elect will enter the council under an unusual provision, since normally only consecrated bishops may take part in the deliberations. They will return to Hungary on Oct. 25 for their consecration.

The prelates who arrived here are: Archbishop Endre Hamvas of Kalocsa; the new bishops-elect, Msgrs. Jozsef Bank, Pal Brezenoczy, Jozsef Cserhati, Jozsef Ijjas and Jozsef Winkler; Bishop Sandor Kovacs of Szombathely; Abbot Norbert Leganyi, O. S. B., of the independent abbey of Pannonhalma, Father Sandor Klempa, apostolic administrator of Veszprem, and titular Bishop Imre Szabo of Tiatira.

U.S. Bishops Champion Cause of Religious Freedom

*Prov. Visitor
8/15/64*

Cushing Leads Off Debate

Compiled from Press Services

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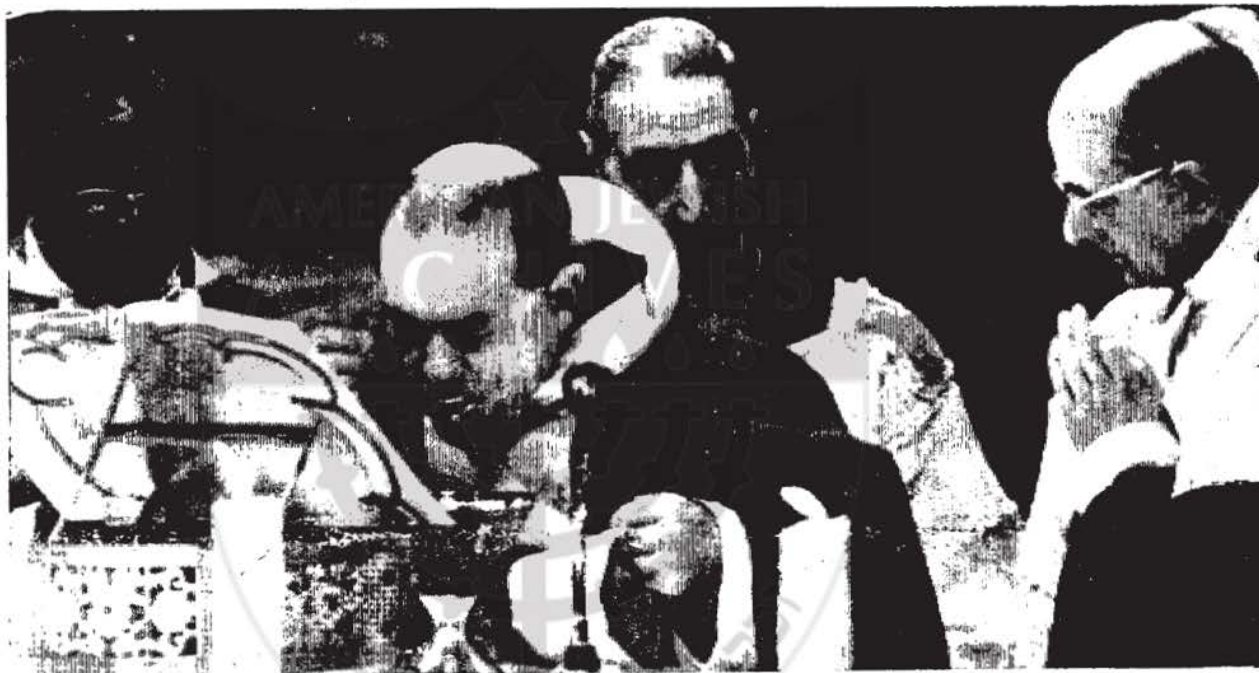
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Declaring that it was a "cause of joy" that the opportunity for full and free discussion of the important topic had presented itself in the Council Hall, Cardinal Cushing noted that the Catholic and non-Catholic world alike is waiting for this declaration.

Cardinal Cushing summed up the spirit of the declaration



'THIS IS MY BLOOD . . .': Concelebrants of the first Latin Rite Mass in St. Peter's Basilica opening the Vatican Council's third session partake of the consecrated wine with a spoon from the chalice, as Pope Paul VI stands by praying. The pontiff alone drank the wine directly from the chalice. The concelebrants included three cardinals, 15 archbishops — two of whom were Africans; four bishops and two heads of religious orders.

—RNS Photo

Freedom

(Continued from Page 1)

with the English language phrase from the Declaration of Independence, "a decent respect for the opinion of mankind." He declared that the Church must champion religious liberty and that if any changes are to be made in the Council document, they should strengthen rather than weaken it.

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AMERICAN JEWISH
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Pro. Vaita 9/15/69

Council on Religious Freedom

Right now the Vatican Council is engaged in open discussion on the issue of religious freedom. The draft that they are presently debating and will most likely pass is a radical departure from the Italian and Spanish "error has no rights" position on this question.

What the document fundamentally supports is the inherent right of every human person to follow his own conscience and to worship God as he sees fit. This means that, even though a person's conscience is objectively wrong and his religion false, if he sees them as true, he not only has the right but the duty to live according to them. Generally speaking, neither the state, nor a religious body, nor another person has the right to deny or diminish anyone's freedom of conscience or religion.

The question of religious freedom has a special significance for Americans as it is one of the basic principles of our Constitutional democracy. Because of this and the fact of religious pluralism

in America, the American Bishops have championed this cause at the Council. In fact many of the central ideas of the document reflect the thinking of the brilliant American Jesuit theologian, John Courtney Murray.

The statement, if passed, will also have tremendous ecumenical significance. Religious freedom is a basic presupposit for any type of Christian unity. Too long have many of our separated brethren labored under the misapprehension that the Church teaches tolerance of other religions only if Catholicism is the minority, that when it is in the majority it must curtail the religious freedom of non-believers. The Church in its teaching has always supported the primacy of the human person and his freedom of conscience and religion. The "error has no rights" position, even though it has been implemented to one degree or another in Spain and Italy, is not the general norm nor the teaching of the Church.

Conservatives, Progressives Cash Again

Religious Liberty Schema May Have Theological Trap

By JOHN COGLEY

VATICAN CITY (RNS) — Conservative and progressive factions clashed again during the second week of Vatican II's third session — over the issues of collegiality and religious liberty.

Collegiality is the doctrine that bishops of the Church, in union with the Pope and under his supreme authority, share in the government of the whole Church and have been divinely appointed as a "college" to rule, to teach, and to teach the Church universal by reason of their episcopal consecration.

This is without question the most serious theological issue with which the council has been faced, or will be faced. Its resolution will have practical consequences of incalculable importance for the future of the Church.

On this issue, as on so many others, the same two parties emerged. Again, the "progressive" faction favoring decentralization triumphed when the votes were counted. Since Pope Paul VI has made it clear in diverse ways that he favors this doctrine of episcopal collegiality, there is every reason to believe that it will be solemnly affirmed by him when the final version of *De Ecclesia* (On the Church) is proclaimed, probably at the end of the present session.

The second point of debate last week centered on a declaration attached to the schema (draft) on Christian Ecumenism. The declaration is concerned with religious liberty and was originally incorporated into the schema itself, which was prepared by Cardinal Bea's Secretariat on Christian Unity. It was given the special status of a declaration after criticism to the effect that though it had ecumenical overtones, it was not directly on the subject of ecumenism.

A Place for a Statement

Indeed, there are prominent council personalities, notably Father John Courtney Murray, S.J., the foremost American Catholic authority on church-state relations, who feel that even the present tie-in with ecumenism is unwarranted. Father Murray believes that it should stand on its own so to speak. Any suggestion that it was prompted basically by an ecumenical concern is unnecessarily compromising. "If there was nothing about ecumenism at all, there would be an important place in this council for a statement on religious liberty," Father Murray said the other day.

It was Father Murray who, last year, described the religious liberty statement as the "American" contribution to the council. It was widely known then that he worked closely with Bishop Emile-Joseph DeSmedt of Bruges, Belgium, who presented the original *relatio* (introduction) of the question to the Fathers at that session.

Students of his writings recognized the Murrayan line of thought in the *relatio* offered by the Belgian prelate.

This year, again, Father Murray played a key role in behind-the-scenes support for the declaration, briefing the American members of the hierarchy here on its importance at an off-the-record meeting before the issue came up on the floor and assisting more than one of the five American prelates who spoke in its favor before debate was cut off, by vote of the entire assemblage, on Friday morning. (Other Fathers may still speak on this subject, if they get the signature of 70 others despite this cloture vote.)

As might have been expected, the discussion of religious liberty turned out to be another Spanish-American War, with both sides accepting allies where they could get them. Among the surprising allies who turned up on the "American" side was a Chilean Cardinal with the very Spanish name of Raul Silva Henríquez. There were no surprises on the other side. Lining up with the Cardinal-Archbishop of Santiago De Campostoto, the Cardinal-